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ON THE RELATIONSHIP OF THE BOOKS OF EZRA AND NEHEMIAH

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Modern study of the book(s) of Ezra and Nehemiah[1] has been dominated by a powerful historicist bent. Being primarily interested in the history of the period for which these documents are the primary witnesses, scholars of the books have sought to recover the correct chronological order of the events that they presumably record. On account of this prejudice, such scholars have assumed that the Ezra–Nehemiah narrative is seriously confused. Attempts to restore the 'original' order have resulted in various rearrangements of the narrative and documentary materials. For these purposes, the materials at hand, whether considered to be contained in one or two books, have been read as a single historical account.[2]

A necessary corrective to this approach is offered by Brevard S. Childs. He writes,

> In my judgment, the usual critical move which disregards the present form of the tradition and seeks to reconstruct a more historical sequence on the basis of literary and historical criteria runs the risk of failing to understand the theological concerns which are reflected through the canonical process. It seems obvious that an accurate historical report of

1. On the question of whether these are one or two books, see below.

2. An excellent review of the approach described herein—itself an example of this approach—is H.H. Rowley's essay on Ezra and Nehemiah in *Ignace Goldziher Memorial Volume* (pt. 1; Budapest, 1948), pp. 117-49, repr. in Rowley, *The Servant of the Lord, and Other Essays on the Old Testament* (London: Lutterworth Press, 1952), pp. 135-68.

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> the Persian period according to the canons of modern historical writing is not being offered, but that the biblical material has been shaped and transmitted toward another end.[3]

Childs then goes on, all too briefly, to describe his sense of the ideological agendas of this canonical book.[4] In doing so, he makes eminently clear that considerations other than those of the historian give shape to the final literary documents. Following Childs's lead, Tamara Cohn Eskenazi undertakes the only full-length literary study of the canonical book of Ezra–Nehemiah, exhibiting a fine literary sense in her close reading of the text and showing the important contributions that this previously neglected methodological perspective can make.[5]

Eskenazi's method is one that I fully endorse. The caution that we are dealing here with literary formulations and not with self-conscious historical records is one that cannot be repeated too often. Naturally, the recognition of this condition has consequences regarding the way these materials may be approached—highlighting their rhetoric and ideological prejudices and diminishing their value as historical sources. All of this is amply accounted for in Eskenazi's study. But I am of a different mind from Eskenazi in one crucial matter, and this difference leads me to conclusions that diverge significantly from hers or, for that matter, from any yet proposed.

I am speaking of Eskenazi's choice to read Ezra–Nehemiah as a single book rather than as two distinct works. Her reason for doing so is well understood. The ancient canonical traditions (before Origen) apparently all consider Ezra and Nehemiah to be one book. Thus, a canonical approach, following Childs, bids that they be considered together.

But this choice is, in my opinion, an ill-advised one. To begin with, the fact that the ancient believing community received these works as a single book is far from probative when considering their original status as literature. The community may have read them together, at a point subsequent to their formulation, for various reasons, including reasons that approximate those of the modern historians (they were

3. B.S. Childs, *Introduction to the Old Testament as Scripture* (Philadelphia: Fortress Press, 1979), p. 635.

4. Following the tradition of the Hebrew canon, Childs treats the books as one.

5. T.C. Eskenazi, *In an Age of Prose: A Literary Approach to Ezra–Nehemiah* (SBLMS, 36; Atlanta: Scholars Press, 1988).

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concerned, after all, with these works as a record of holy history). From their canonical status, we learn nothing about the literary condition of these works at their inception.

Moreover, reading Ezra and Nehemiah as one forces Eskenazi to make a jump that I think cannot ultimately be supported. In order to claim a unity for the agendas of the two books, Eskenazi argues that the first major segment of Nehemiah is about the expansion of the 'house of God'—obviously a major concern in Ezra—to include the city of Jerusalem as a whole.[6] But, unlike in Ezra, where the centrality of the 'house of God' is explicit and pervasive, the house is nowhere mentioned explicitly in the relevant sections of Nehemiah. In fact, on each occasion where Eskenazi notes the house of God in Nehemiah, the explicit text speaks of the city and its walls, giving no hint that these are to be judged as anything other than that. The strongest support of Eskenazi's claim is the expression of opposition by the Temple's opponents, in their correspondence with Artaxerxes, in terms of the city and its walls (Ezra 4.7-24). But the context in which this correspondence is quoted denies the equation that Eskenazi wants to make, speaking of 'the House of God *which is in Jerusalem*' (see, e.g., 5.2 and 6.5, my emphasis), not of the House of God which is Jerusalem. Furthermore, the voice of the letter is that of the opponents—the story's antagonists—so their usage is hardly determinant in the mind of the reader. What is more important, as I see it, is the purpose for which the quoted document is appropriated, and that is clearly the Temple. For the author of Ezra, in fact, the Temple is the center of concern. This same centrality does not extend to Nehemiah.

On the other side, there are many reasons to assume, *prima facie*, that these are distinct works. Most of these have been noted before, and there is no reason to review them all here. Just to mention a few of the most important factors:

1. the book of Nehemiah, in the middle of the canonical whole, bears an introduction that clearly marks what follows as an independent composition.[7]
2. the repetition of the identical list in Ezra 2 and Nehemiah 7 is no problem if the two books are distinct.

6. See *Age of Prose*, p. 2 and pp. 53-57.
7. See Talmon, 'Ezra and Nehemiah (Books and Men)', *IDBSup*, p. 318.

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3. Similarly, the fact that the discussion of Ezra's activities is dropped between the end of Ezra and Nehemiah 8 is more easily accounted for if these are two works.
4. Important stylistic differences also distinguish the two.[8]
5. Not to be underestimated, as well, is the power of the opinion held by some, at least by the time of Origen, that these are two books and not one. Whatever the antiquity of such an opinion, its wisdom has to be weighed seriously.
6. Most importantly, as I will demonstrate in detail below, the two works, when considered independently, exhibit important ideological differences that make it extremely difficult to read them as a single unit.[9]

This last point is, I think, the most important reason for undertaking the sort of reading proposed here. M.A. Thronveit articulates the justification for such an approach this way:

> the safest course would be to take seriously the a *priori* assumption of separate authorship and investigate both works individually from a theological point of view, leaving the question of authorship open until the intent and message of both are better understood.[10]

Thronveit arrives at this position after reviewing the many attempts—ultimately inconclusive, in his judgment—to determine the relationship of the authorships of these works and Chronicles based upon

8. Ezra includes narrative and documents in both Hebrew and Aramaic; Nehemiah restricts itself exclusively to Hebrew. Ezra's memoir in Ezra is primarily a first-person account; his activity in Nehemiah is witnessed and recounted in the third person.

9. I find A. Kapelrud's argument for the unity of the 'Ezra-narrative' on the basis of linguistic criteria to be unconvincing. First, he assumes the unity *a priori*; thus, he is likely to find common post-exilic usages as evidence of unity. Second, Kapelrud admits that Neh. 8 is distinct from the Ezra materials in many important ways; see his review in *The Question of Authorship in the Ezra-Narrative: A Lexical Investigation* (Skrifter utgitt av det Norske Videnkaps-Akademi i Oslo. II. Hist.-Filos. Klasse, 1944, no. 1; Oslo: J. Dybwad, 1944), p. 93. Given the differences, the choice between unity and independence based upon this evidence alone is highly arbitrary. For a good illustration of the difficulty of using lexical characteristics to determine authorship, see S. Japhet, 'The Supposed Common Authorship of Chronicles and Ezra–Nehemiah Investigated Anew', *VT* 18 (1968), pp. 330-71.

10. M.A. Thronveit, 'Linguistic Analysis and the Question of Authorship in Chronicles, Ezra and Nehemiah', *VT* 32 (1982), p. 215.

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linguistic criteria. His conclusion is that the most promising means of answering the question of authorship is to begin by reading the works independently.

Reading the works as just described, with the overall methodological emphases otherwise recommended by Eskenazi, I conclude that the relationship of the books of Ezra and Nehemiah is, in a general sense, analogous to that of 1 and 2 Maccabees; that is to say, they report an overlapping but not identical historical period, but from significantly different ideological perspectives. The book of Ezra is a priestly book; its concerns are the Temple, the priesthood and levites, and purity—that is, the cult. The book of Nehemiah, in contrast, is a lay book, sometimes exhibiting antagonism to priestly concerns and supporting, instead, what might be called scribal values.[11] After justifying these claims, following, I will remark upon their consequences for Ezra–Nehemiah scholarship.

My analysis of the books and their respective ideologies begins by reviewing the overall structure of each book, asking how structure carries with it the ideological preferences of its author. Next, I compare and contrast the respective treatments of the figure of Ezra in each book, with a mind to the same concerns. Third, I analyze the treatment of common motifs in the two books, seeing how these treatments support the ideologies previously identified. Finally, I examine the place of Torah in each of these books, showing how variant assumptions regarding the place of Torah in the restoration community reflect the very same biases indicated in the other materials. I will show that, in each of these areas, the different perspectives described above are powerfully confirmed.

11. I use the term 'scribe' perhaps anachronistically. Various functions are attributed to scribes in ancient Israel (pre- and post-exilic) as well as in neighboring societies; see J.M. Myers's discussion, *Ezra–Nehemiah* (AB, 14; New York: Doubleday, 1965), pp. 60-61, and the excellent brief essay by A. Demsky, *EncJud* XIV, cols. 1041-43. My argument, following, is that the accounts of Ezra's responsibilities as a scribe may not reliably be used as evidence for this period because they are in tension with one another. When I speak of 'scribal' ideals below, I anticipate the scribe of the late Second Temple period.

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Structure and Theme[12]

Ezra devotes its first six chapters to the rebuilding of the Temple. Chapter 1 records the decree of Cyrus confirming the right of the Jews to return to Judea to restore their sanctuary. Chapter 2 is a lengthy list of those returning; the context establishes that the purpose of their return is to rebuild the Temple (v. 68). Chapter 3 records the successful rebuilding of the altar for the purpose of offering sacrifices, the celebration of the Sukkot holiday (marked by the offering of sacrifices), and the celebration of the laying of the foundation of the House of God. Chapters 4 and 5 narrate the opposition of the local population to the rebuilding effort and the reconfirmation of the right of the community of Jewish returnees to do so. Chapter 6 speaks of the support of the Temple project out of the royal treasuries, the completion of the rebuilding, and the celebration of its rededication—accompanied by sacrifices, the purification of Priests and Levites (alone), and the bringing of sacrifice in celebration of the Passover.

Chapter 7 introduces us to Ezra, ascribing to him several roles and purposes. But the bulk of the chapter, the letter of Artaxerxes to Ezra, speaks of the Temple, its sacrifices and its supplies. Ezra himself characterizes the purpose of the king, expressed in the letter, as being 'to beautify the house of the LORD which is in Jerusalem' (v. 27). Chapter 8 first lists the leaders of those going up with Ezra. It then speaks of the recruitment of Levites and Temple servants and of other preparations for going up to the Temple. It ends by describing the first acts undertaken by the returnees upon their arrival—the weighing out of gold and vessels for use in the House of God and the bringing of sacrifices. Finally, chs. 9 and 10 recount the events surrounding the intermarriage crisis; the language of the account is strongly priestly (see below on intermarriage).

Overall, it may be seen, the thematic structure of the book of Ezra is built upon priestly concerns. To be sure, certain small details diverge from this single-mindedness, but they are, when weighed against the whole, entirely insignificant. The Temple and its cult, and the purity of those who serve and worship there, constitute virtually the full

12. A more detailed outline may be found in Myers, *Ezra–Nehemiah*, pp. xxxviii-xli. For a comprehensive analysis of the structure of the books, see Eskenazi, *Age of Prose*, pp. 37-126.

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range of interests to which the author of this book devotes himself.

The book of Nehemiah poses a striking contrast. Chapters 1–7 describe the rebuilding of the city, of its walls, and of the community that dwells within them, all under the direction of Nehemiah. Chapter 1 shows Nehemiah inquiring into the well-being of the inhabitants of Jerusalem. Concern is expressed for the disrepair of the walls and gates of the city. Nehemiah laments the condition that is reported to him, accounting it as a product of the disobedience of the people. His language is marked strongly by Deuteronomic expressions.[13] In ch. 2, the king empowers Nehemiah to return and oversee repair of the city. Local inhabitants are said to oppose the city's repair. So, by night and in secret, Nehemiah surveys the city's walls and gates. Further acts of opposition are then mentioned. Chapters 3 and 4 describe the repair effort. Notably, upon being rebuilt, the *gates* are sanctified by the High Priest. There follows, in ch. 3, a long list of the assignments of various groups of builders. Priests, Levites and Israelites undertake various assignments, building side by side. The chapters go on by describing further opposition and the establishment by Nehemiah of guards to assure that the repair effort will not be interrupted. Chapter 5 diverges from the foregoing themes, speaking of Nehemiah's enforcement of various aspects of the Torah's social legislation, including the return of lands and the release of debts. Chapter 6 returns directly to the concerns of earlier chapters. Chapter 7, finally, repeats the list of Ezra 2, but with a very different purpose (see below).

In ch. 8, we are again introduced to Ezra. Crucially, the account is now in the third person. Central to Ezra's activities in this chapter is the reading of the Torah scroll in public. The Sukkot holiday is celebrated with the construction of booths—no sacrifice is mentioned. Chapter 9 begins with the separation of Israelites from foreigners. In response to the offense, the people read Torah, confess their sins and prostrate themselves. Following, the people gather to bless God, recounting the history of Israel as a preliminary to the re-establishment of the covenant. This history includes the giving of Torah to Moses at Mt Sinai *for the first time in any such biblical historical review*; the Temple is ignored completely. Chapter 10 tells of the covenanting, listing the parties to that covenant. It then refers to renewed efforts to observe various laws of the Torah, including the Sabbath and the

13. See, e.g., vv. 5 (Deut. 10.17) and 9 (Deut. 30.4 and 19.29).

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offering of various agricultural gifts to the priests.

Chapter 11 returns us to the project for repopulating Jerusalem—the building of city and community go hand in hand and continue to be central. A lengthy list of 'chiefs of the province' who dwelt at Jerusalem follows. Chapter 12 continues with a list of Priests and Levites who 'went up with Zerubbabel'. No precise purpose is described for this 'going up', but, since the chapter continues by describing the celebration of the dedication of the wall of Jerusalem, it is clear that all activities have been directed toward this end. Chapter 13, the final chapter, describes various offenses against Torah by the people and efforts to ameliorate this condition. Notably, Nehemiah discovers various offenses by the High Priest and expels him from the Temple (vv. 4-9).

This book is not so single-minded as is the book of Ezra. Because of its apparent variety, it may be simplest to characterize its concerns by means of negation—unlike Ezra, the book of Nehemiah is not significantly concerned with the Temple and the cult. The first major section of the book is concerned with the viability of the city and the community. The Temple goes virtually unmentioned here—the two minor references (2.8 and 6.10) are entirely by-the-way[14]—and this despite the fact that the Temple itself is apparently not in good repair (see 3.34, 'will they sacrifice?').[15] A similar omission has been noted in the ritual history rehearsed in ch. 9, and here, as elsewhere in the latter part of Nehemiah, the center stage is now occupied by Torah. If the book of Ezra is a priestly book, Nehemiah represents the wedding of the concerns of the governor and the (nonpriestly) scribe. Furthermore, as will be spelled out later, this wedding is forged with not a little antipathy toward the priest and his competitive centrality.

The Figure of Ezra

The present apparently confused state of the so-called Ezra memoir is the primary reason that scholars have sought to rearrange the material in these books. But at the root of this alleged confusion is a factor that has been largely ignored by students of these books: the accounts of

14. The former reference is omitted by the LXX.

15. Caution is necessary, however, in making this suggestion because of textual uncertainties. See J. Blenkinsopp, *Ezra–Nehemiah: A Commentary* (OTL; Philadelphia: Westminster Press, 1988), p. 243.

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Ezra in the book of Ezra and in Nehemiah differ radically in their pictures of Ezra and his purported activities. These differences align precisely with the ideological divergence already identified.

In the book of Ezra, we are first introduced to Ezra with a lengthy and detailed pedigree (7.1-5). Though Ezra is characterized as both a priest and a scribe, it is his priestly connections that are important—he is descended from Aaron (v. 5), the original High Priest, from Zadoq (v. 2), the traditional highpriestly line from the time of David, and from Seraiah (v. 1), the last of the High Priests at the time of the destruction. No more illustrious sequence of connections could be imagined! Furthermore, though Ezra is described also as a scribe whose purpose is to teach God's law (v. 10), such an activity is never undertaken by Ezra in the narrative of this book.[16] In fact, when we first hear Ezra's own voice (7.27)—inescapably establishing our impression of who he is and what his concerns are—he praises the king for seeing fit to 'beautify the House of the Lord' and praises God for choosing him to stand at the head of that task. Ezra devotes himself, in the book of Ezra, to the Temple and the cult.

It is the matter of the intermarriages and the reaction to them, consuming the last two chapters of the book, that requires the most detailed attention in the present context. The ninth chapter begins with Ezra's report of his introduction to the offense, spoken of in these words: 'the holy seed has become intermingled with the peoples of the land; and it is the officers and prefects who have taken the lead in this trespass' (v. 2, NJPS translation). The language is the language of the priesthood; trespass (*ma'al*) is a technical term for committing offense with respect to holy things.[17] What is objectionable is that the holy

16. Ezra is described as a scribe twice in this chapter (vv. 6 and 11). In v. 6, his skill as a scribe is praised but we have no information defining the scribal task. Verse 11 somehow associates Ezra's scribal function with the laws of YHWH, but again, what that association might be is not spelled out. In v. 10, Ezra is praised for preparing himself 'to investigate the teaching [Torah] of YHWH, to observe and to teach ordinances and judgments in Israel' (my translation). Though the fact that Ezra is a scribe is not mentioned in this verse, the context strongly intimates that these activities are a function of Ezra's scribal commitments. Nevertheless, as mentioned, Ezra never undertakes to investigate or teach scripture in this book. We are left with the impression that the descriptions are somehow formulaic; they have no immediate association to reality.

17. The term is used especially in Leviticus, Numbers, Ezekiel and Chronicles—that is, in documents that speak from a priestly perspective.

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seed (a term with precedent only at Isa. 6.13)[18] is being intermingled with unholy seed. Notably, Deuteronomy's prohibition of intermarriage with the surrounding nations (7.3-4) is supported by no such justification; there the concern is the attraction of idolatry, as befits the apparent context of the Deuteronomic legislation.[19] So the concern voiced here is a new one and may be understood to represent the unique and particular prejudice of the present author.

The chapter continues in the same vein. Ezra responds in horror and remorse to what he has learned. He initiates acts of mourning and repentance; the timing of these acts is correlated with the times of sacrifices (vv. 4-5). His prayer describes the sin of the people—the reason for their earlier exile—in general terms, but the context sets the sin clearly as the profanation of holy seed. The land that they have come into and in which they have sinned is described as a land of '*niddâ*', a term otherwise found only in priestly contexts.

Chapter 10 continues with the response to the intermarriages. The leaders, with Ezra, undertake a covenant to separate from the foreign women. In the course of the narrative, Ezra's name is given either without qualification (10.1, 5) or with emphasis on his priestly identification (10.10, 16); his actions continue to illustrate his priestly concerns, and the language brought to relate his activities remains priestly as well; 'trespass' is ameliorated through 'separation', each word being repeated several times (see vv. 2, 6, 8, 10, 11 and 16).

So, in the book of Ezra, Ezra is a well-connected priest whose exclusive concern is the strengthening and purification of the cult. His primary activity involves the elimination of intermarriages, an offense that is newly and uniquely described in priestly terms. As befits the emphasis of the book as a whole, Ezra is a man of the priesthood.

Now consider the Ezra of Nehemiah. The portrait of this Ezra, related exclusively in the third person, is restricted primarily to ch. 8 (after this, Ezra recedes from prominence and is nowhere central to the narrative). Again, in the course of the narrative, we discover that Ezra is both a scribe and a priest, but—in contrast with the picture in

18. Itself a late gloss. See Blenkinsopp, *Ezra–Nehemiah*, p. 176.

19. The description of the people as 'holy' in Deut. 7.6 is not to be equated with the notion of holiness expressed here. There, holiness means to separate from idolworship; 'holy to the Lord' means 'separated [from idolatry] to the Lord'. Here, in Ezra, the holiness of the seed is an essential, priestly holiness, residing in the seed by its very nature.

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Ezra—in Nehemiah, Ezra acts everywhere as a scribe and nowhere as a priest. Here, Ezra the scribe, introduced with no pedigree, devotes himself to the reading of Torah in public and the instruction of the people. With the leaders of the people and the Priests and Levites, Ezra does not bring sacrifices but studies Torah (vv. 13-18). Learning about the Sukkot holiday, they respond by constructing booths; nowhere is sacrifice mentioned, and this despite the fact that, in the Priestly law, Sukkot is the holiday that is accompanied by the most sacrifices (by far—see Num. 29.12-38). Rather, instead of offering sacrifices day by day, they celebrate by reading Torah day by day (Neh. 8.18). Supporting the thrust of what is recounted here is the weight of the appositives that accompany Ezra's name: on only one occasion (8.2) is Ezra described simply as a priest; on two occasions (8.9 and 12.26) Ezra is both a priest and a scribe; in all other instances, five in all (8.1, 4, 5, 13; 12.37), Ezra is spoken of as being a scribe alone. In sum, the narrative exposition and the linguistic signals combine to make a single, unmistakable point.

Thus, the Ezra remembered in Ezra is not the Ezra known in Nehemiah. In Ezra, Ezra is a priest, a man concerned with the cult and its purity, while in Nehemiah he is a scribe, a man of the book, who is entirely unconcerned with the Temple or sacrifices. These are two different Ezras, the one bearing little relationship to the other. The disparate portraits do, however, bear powerful relationship with the ideological bents of the books in which they appear.

Motifs

The differences in these books in the treatment of various common motifs or details align precisely with the prejudices that we have identified. I analyze these variant treatments in no particular order.

Crying

On several occasions in these books the people, or some segment of the people, are moved to tears. This occurs twice in Ezra, first when the elders who remember the first Temple see its paltry replacement (3.12), and second in response to the recognition of the intermarriage offense (10.1), which, as we have seen, is a priestly concern in this context. In Nehemiah (8.9), they cry following the public reading of the Torah, apparently for fear of not having fulfilled its precepts.

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People cry in each book over the primary ideological concern of the book, as identified above.

Sukkot

Sukkot is observed in both books. In Ezra (3.4) it is a holiday of sacrifices; booths are not even mentioned. In Nehemiah it is a holiday of booths and of the reading of Torah; sacrifices are not even mentioned in this connection.

Opposition

Both books report that elements of the local population opposed the efforts of the returning community. In Ezra (chs. 4–5), this opposition is directed exclusively against the effort to rebuild the Temple; in Nehemiah (2.10-20; 3.33-38; 4; 6) it is directed against the effort to rebuild the wall and gates of the city.

Sources

The centrality of various kinds of sources (lists, letters, documents), particularly in Ezra but also in Nehemiah, has often been noted. What has not been noted is the different purposes to which these sources are put. A few examples will suffice to illustrate this difference.

I have already alluded to the different purpose for the quotation of the much-discussed list of returnees at Ezra 2 and Nehemiah 7. The list in Ezra is introduced simply by identifying those included as the ones who returned. But it is followed by speaking of those who came to the House of the LORD in Jerusalem and volunteered to support the rebuilding project (vv. 68-69); the return leads to rebuilding. In contrast, in Nehemiah the list is framed in such a way as to make clear that return leads to rebuilding and repopulation of the city (see 7.4-5 and 69-71), where 'the work' for which donations are made is, given the context, clearly the rebuilding and repopulation effort. Note that even the Priests, along with the Levites and others, make donations—they give of their uniquely priestly wealth. Obviously, then, the donations are not directed to the priesthood itself.

In Ezra, other sources similarly address the priestly concerns. Thus, the list at the end of ch. 1 is a list of the vessels of the House of the Lord. The correspondence preserved in chs. 4–5 concerns the right of the returnees to rebuild the Temple. Cyrus's decree, at the beginning of ch. 6, affirms that right and describes the dimensions of the House to be built (!). And so forth.

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The contrast in Nehemiah is unmistakable. The list in ch. 3 records those who together built the walls and gates of the city. The list in ch. 7, as we have seen, is also directed toward rebuilding and repopulation. The covenantal history, in ch. 9, is concerned with Torah and its observance—the Temple is completely ignored. The list at the beginning of ch. 10 records those who affirm this very same covenant. The list in ch. 11 reflects the concern for repopulating the city. Again, whatever the sources that might have been available to the authors of these two books, they employ these sources consistently to serve their different purposes.

Intermarriage

We have already seen that the objection to intermarriage in Ezra is framed in terms of priestly definitions. In Nehemiah, the matter is somewhat more complex, but the characteristic differences do again emerge.

We first read of the separation from foreigners in Nehemiah at the beginning of ch. 9. We are not told what motivates the separation, but it is notable, at least, that 'the seed' that separates here is not 'the holy seed', as in Ezra, but simply 'the seed of Israel' (v. 2). (In Nehemiah it is *the city* that is holy rather than the seed; see 11.1.) When we return to discussion of the separation, at 10.29-31, the motivation is added: they separate 'to the Torah of God…to walk in the Torah of God which was given by the hand of Moses, the servant of God…' Unlike in Ezra, where the separation is only 'from', as an act to eliminate the pollution of the holy seed, here the separation has a positive purpose—to unite with the Torah of God. Notably, this affirmative motivation has neither a parallel in Ezra nor a precedent in Deuteronomy, where the concern is separation from idol worship (conceived and expressed as a negation).

The final mention of separation from foreigners in Nehemiah (13.1-3) makes explicit reference to Deut. 23.4-5. What is crucial here is that, aside from the fact that the concern is not priestly—it rests on historical causes—the motivation to separate is described as emerging from a reading of Torah. Again, Torah is central. The scribe has superseded the priest.

Covenant

Covenants are undertaken in both Ezra (10.2-8) and Nehemiah (chs.

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9–10).[20] In Ezra, the covenant has but one purpose—to purify the seed of Israel by expelling the foreign women and their offspring (10.3).[21] In Nehemiah, by contrast, the covenant is conceived far more generally. The blessing that introduces the covenant places the giving of Torah and its observance at the center of its history. At the same time, the only major element of Israelite history that is conspicuously absent from the blessing is the building of the Temple of Solomon.

Sin and Punishment

Both books offer explanations of recent travails of Israel, typically understanding them as punishments for sin. Both books articulate this ideology in general terms (Ezra 9.6-7; Neh. 1.6-7; 9.26, 28-29, 34) and then propose specific transgressions that are understood to lie at the root of the attendant punishment. In Ezra, the specification focuses on the intermarriage and that alone. This is evident in the shift from the general to the specific in 9.10-12 and 9.14. By contrast, the only specification in Nehemiah (13.18) offers Sabbath transgression as the sin at the root of recent disasters. But the general description in ch. 1 (v. 7) lists several categories of laws that have been transgressed (*miṣwôt, huqqîm, mišpāṭîm*), suggesting that, whatever the specifics may be, they extend well beyond any individual transgression or category of transgressions. Furthermore, it is clear that sin is conceived in Deuteronomic terms (see 1.6-9; 9.28). In Nehemiah, neither the language nor the conception is priestly.

Priests, Governors and Scribes

Though there are priests, governors, and scribes in both books, they have different functions in each. In Ezra, not only priests but also governors and scribes (Ezra) serve priestly purposes (the rebuilding of the Temple, the offering of sacrifice, the elimination of intermarriages in terms described above). In contrast, in Nehemiah, priests serve the purposes of the governor (the rebuilding of the city and

20. The term used in Neh. 10 is not *bᵉrît* but *ʿᵃmānâ*. There is no question that the two terms are synonymous, as suggested by the verb, *krt*, used for undertaking such a commitment—this is the common biblical term for entering a covenant; see Gen. 15.18; 21.27, 32; 26.28; etc.

21. I understand the statement, 'and do according to the teaching [torah]', to qualify what is specified earlier in the verse; that is to say, 'doing the Torah' is here equated with expelling the foreign wives and children.

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reconstitution of the community) and the scribe (reading and teaching the Torah in public; see below).

Torah

The centrality of Torah to the Ezra traditions has been widely discussed. What has not been recognized is 1. the fact that this centrality is true only in the book of Nehemiah, and 2. that the visions of Torah in Ezra and Nehemiah differ radically with one another. The difference parallels, and perhaps lies at the foundation of, the characteristic ideological differences that we have earlier identified.

In Ezra, the Torah document—when referred to explicitly—acts exclusively as justification of priestly laws and then only by assertion. There is no evidence, anywhere in this book, that the Torah is actually *read* in public, let alone studied, and there is no indication, at places where explicit reference is made to a written law, that that law is constituted of anything but priestly matters. So, at 3.2, they build the altar and offer sacrifices on it 'as written in the Torah of Moses'. In v. 4 of the same chapter, the Sukkot festival is celebrated 'as written', but what is written is, apparently, only the obligation to bring sacrifices. Later on, the Priests and Levites are appointed to their proper place in the divine worship 'according to the writing of the book of Moses' (6.18). This is the sum total of explicit references to a written Torah in the book of Ezra.

Now, consider the place of the book of the Torah in Nehemiah. Here the Torah is something that is read aloud in public (ch. 8). The text goes to extraordinary lengths to emphasize the public nature of the reading—mention of the presence of 'the whole people' (*kol hā-ʿām*) is repeated no fewer than nine times (vv. 3, 5, 6, 9, 12, 13; this construction does *not* appear in Ezra). In fact, in Nehemiah, such reading of Torah is *the* public ritual; it has replaced sacrifices almost entirely. Its replacement of sacrifice is likewise evident at the beginning of ch. 9 where the reading of Torah constitutes part of the ceremony of atonement for having married foreigners (v. 3). No more do sacrifices effect atonement; confession, prostration and the reading of Torah do.

Furthermore, the Torah is not merely read here—it is interpreted and explained (8.8). Such reading and interpreting of the Torah leads to discovery: by reading the Torah, the people discover that they are

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to celebrate Sukkot by constructing booths (8.14-17; crucially, they discover nothing here about sacrifices). They also discover that they are to separate themselves from foreign women (13.1). Torah, in this book, is an open, public document that is meant to be read and learned, discovered and observed.[22] To be sure, the Torah is sometimes alluded to, as justification, in the manner of Ezra (see Neh. 10.35 and 37). But this is not the approach that predominates. Rather, it is a public, variegated Torah (its laws are both priestly and non-priestly) that characterizes Nehemiah—precisely the sort that would come to characterize the scribal office in later Israel; perhaps what we see here is the first hint of such a development.

The difference between priestly and scribal law requires further elaboration. In the ancient world, priesthoods were guardians of sacred traditions. The traditions that they guarded were, in particular, the secrets of the cult and the performance of its rituals. Such knowledge enabled the priests to conduct their art correctly. Of course, it was this priestly art for which the people depended on the priests—it was the source of priestly power. The sacred knowledge, standing at the foundation of their power, was jealously guarded by the priests.[23]

In consideration of this relation between priesthoods and their laws, the image of Torah we find in Ezra—with its priestly inclinations—is fully to be expected. Again, in Ezra, the Torah is a book that describes the laws of the sacrificial cult. It is guarded, not publicized, and it is alluded to only as authoritative justification of laws that pertain to the priest. This Torah is revealed only to the extent that the priests require. If it supports their center of power, well and good. Otherwise, there is no need to share its content.[24]

22. A similar characterization is employed by Eskenazi, *Age of Prose*, p. 191. She does not, however, distinguish between the Torah ('book', 'text') seen in Ezra and that in Nehemiah.

23. See E.O. James, *The Nature and Function of Priesthood* (New York: Barnes & Noble, 1955), pp. 208, 223-24; and L. Sabourin, SJ, *Priesthood: A Comparative Study* (Leiden: Brill, 1973), p. 6.

24. It may be wondered whether there is anything beyond priestly law (including laws of particular interest to the priests outside of P) in the Torah book of *Ezra*. Perhaps the debate that lies at the heart of the many differences that I have outlined is the very identity of the 'Torah of Moses', with the author of Ezra supporting a circumscribed, priestly identity and the author of Nehemiah arguing for a much broader Torah—essentially the document that we know. In any case, it seems to me to be more productive to explore the identity of the Torah as explicitly referred to—in

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The scribe, in contrast, has no essential investment in jealously protecting the law. On the contrary, his craft is devoted to the copying and promulgation of the law. This may well explain why scribes in Israel would later (at least) conclude that sacred power resides in the book itself and with those who devote themselves to it. Of course, this power is not restricted to a priesthood; thus, neither should the law be. In Nehemiah, we see this ideology in its nascent form—the Torah is brought out into the open and made central to the new ritual. It is available to all and there is no limit on what one might discover therein, beyond the actual substance of the document itself. And, given the alternatives made available through interpretation—clearly a part of the scribal project as described here—even this may not be a limit.[25]

Opposition to the Centrality of the Priesthood in Nehemiah

Another element of the different views of Torah in the books at hand needs to be emphasized. I am speaking of the fact that, if the sacred law, properly guarded, is at the source of priestly power, then the scribal approach to Torah, which seeks to disseminate it and render it public, undermines this source of priestly power. This is but one of several pieces of evidence in Nehemiah of its opposition to the centrality of the priesthood.

The most obvious evidence for the book of Nehemiah's undermining of priestly centrality is its almost complete neglect of the Temple and sacrifice, as we have noted in detail above. Related to this is the obvious displacement of sacrifice or Temple with Torah, in a way that may be understood as 'granting sanctity to the Torah, not to the Temple'.[26] This displacement of sanctity, noted by Eskenazi, typifies much of the approach in Nehemiah.

Eskenazi touches on several of these displacements. In connection

Ezra and *independently* in Nehemiah—than to try to divine the identity of the Torah that may or may not lay at the foundation of individual laws as described in these later books. This latter approach is hopelessly mired in confusion and imprecision. An excellent review of the problem may be found in C. Houtman, 'Ezra and the Law: Observations on the Supposed Relation between Ezra and the Pentateuch', in A.S. Van der Woude (ed.), *Remembering the Way*...(OTS, 21; Leiden: Brill, 1981), pp. 91-115.

25. See M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon Press, 1985), pp. 110-11.

26. Eskenazi, *Age of Prose*, p. 106.

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with Neh. 3.1, she notes the fact that the gates of the city are being sanctified—an act that one would more expect in connection with the House of God.[27] Of course, such sanctification, directed at a non-priestly property, undermines the centrality of the Temple as such. The same is true in connection with the purification of all the people at Neh. 12.30 (and cf. Ezra 6.20). On this matter, Eskenazi comments, 'The purification of all the people…demonstrates that they are brought into the same ritual status as priests and Levites…This amplifies the point made by the Israelite pedigrees: the sanctity of the people, not merely of clergy, matters'.[28] In just this way does the author effectively undermine the centrality of the priesthood.

To these points we may add the following: In ch. 3, the Priests, Levites and Israelites are described as engaging in the construction of the city, side by side. Thus does the author claim that this construction is what is truly important, so important that even the Priests and Levites must serve this end. Moreover, he shows that, for what really matters, the Priests and Levites are in no way superior to the Israelites as a whole. Particularly striking in its statement of this same opposition to the priesthood is the recounting of the cultic abuses of the High Priest, at 13.4-9, and of Nehemiah's actual expulsion of the High Priest from his chamber in the Temple. Morton Smith comments on this event:

> By all traditions of ancient religion the high priest was the final authority on cult law, especially on purity law, and above all on purity law as it applied to his own temple. Yet here is Nehemiah, not a priest at all…not only declaring unclean and forbidden what the high priest has declared clean and permitted, but also overriding the high priest's ruling and cleansing the Temple of the pollution which he said the high priest has introduced into it.[29]

More explicit opposition to the priesthood, and undermining of its authority, could hardly be imagined. The same scenario repeats itself at the end of this last chapter, where it is Nehemiah the layman who purifies the priests of their pollution from foreigners. What, from the priestly perspective, could be more humiliating?

27. Eskenazi, *Age of Prose*, p. 84.
28. Eskenazi, *Age of Prose*, p. 117-18.
29. *Palestinian Parties and Politics That Shaped the Old Testament* (London: SCM Press, 1987; New York: Columbia University Press, 1st edn, 1971), p. 101.

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Conclusions

We have seen that Ezra is a book that speaks for a priestly authorship. It believes that post-exilic sacred history leads to the rebuilding of the Temple and the rehabilitation of the cult. Sin, in its view, is the pollution of the cult, and atonement, therefore, can only be achieved by the removal of that pollution. As is to be expected, the Priests are its main actors, and its great hero, Ezra, is the Priest who accomplishes the necessary purification.

The book of Nehemiah contends that the realm of the sacred far exceeds the limits of the cult. Not only is the Temple holy; so too is the city as a whole. Not only is the priesthood holy, but so too is Israel at large. Since the city and the laity are central to this authorship's conception of the sacred, sacred history, in this book, leads to rebuilding of the city; the Temple, though possibly in disrepair, is ignored. And, as the city replaces the Temple, so the Torah replaces sacrifices and scribes replace priests. In this context, sin is an offense against the Torah, more generally conceived, and the hero, again Ezra, is the one who teaches Torah and thus brings the people back to its observance. By the same token, Nehemiah, the other great hero, is the one who assures the viability of the community as a whole, who oversees the covenanting that is centered on Torah, and who takes control of the priesthood that has itself polluted the sacred precincts.

The fact that these characterizations do not account for all of the details of these books should not be taken as a challenge to their basic soundness. Theoretically, these documents could have been composed either by authors who witnessed the same events or by authors who had access to a common record. There can be no surprise, therefore, that their accounts sometimes overlap. Presumably, Ezra was both a priest and a scribe; foreign women were expelled by the community; the Temple did operate and sacrifices were offered there. But what is more important is the undeniable differences in the use of these materials that resulted from the divergent ideologies of the authors. They did not fully censor out what did not support their individual pictures. They did, however, shape it with a stamp that was so powerful as to leave their prejudices in little doubt.

These conclusions have important consequences for those who would want to employ these books as evidence for the period that they purportedly describe. Generally speaking, Ezra and Nehemiah are two

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competing, perhaps even contradictory (but *not* complementary) accounts of the same history. For the most part, therefore, they constitute poor sources for traditional histories. They are prejudiced, ideologically motivated witnesses—hardly the sort whose testimony a critical historian should gullibly repeat. Only where their overlap is significant, such as in those few areas listed in the previous paragraph, is there room for greater confidence. But these areas are few, and there is very little, therefore, that can be said without hesitation.

Still, there is undoubtedly in these books an ideological history to be told. Recorded in them we see the beginnings of a debate that would, in fact, have major consequences in the history of Judaism for the next five hundred years. The question that these authors are debating is that of the locus of the sacred. Is religious power in Israel to be found in the priesthood and the cult or in the Book and those who disseminate it? For the next many hundreds of years the view represented by the author of the book of Ezra would predominate, at least among the parties who had recognized political power. But the alternative supported by the author of the book of Nehemiah would never disappear and, over the long term, it was this view—the vision of the lay teacher of Torah—that would emerge triumphant.[30]

ABSTRACT

By respecting the literary independence of Ezra and Nehemiah, we discover that these books are distinguished by two distinct and even opposing ideologies. Ezra is a work of the priesthood, one that limits the realm of the most sacred to the Temple and the priesthood. Nehemiah, in contrast, is a lay composition that sees Torah as the focus of the sacred. Nehemiah also works to undermine the centrality of the priesthood. Discovery of this opposition suggests, among other things, that scholars seeking to reconstruct the history of this period should hesitate before depending upon such biased records.

30. I am grateful to S. Garfinkel and, especially, to T. Eskenazi for their generous critiques and comments which helped me to refine many points in my argument.